



ATTORNEYS AT LAW

June 13, 2017

Magistrate Judge Jacqueline Scott Corley
U.S. District Court for the Northern District of California
San Francisco Courthouse, Courtroom F - 15th Floor
450 Golden Gate Avenue, San Francisco, CA 94102

Re: Waymo LLC v. Uber Technologies, Inc., et al., Case No. 3:17-cv-00939-WHA

Dear Magistrate Judge Corley:

On June 8, 2017, Waymo LLC filed a motion by letter brief that seeks to compel Stroz Friedberg, LLC to comply with a subpoena served by Waymo. Dkt. 570. On June 9, 2017, non-party Anthony Levandowski filed a motion to intervene and quash that same subpoena to the extent it seeks records that are protected by Mr. Levandowski's Fifth Amendment, common interest, attorney-client and work product privileges. Dkt. 583. Parties Uber Technologies, Inc. and Otto Trucking LLC also filed motions to quash. Dkt. 580 & 581.

Mr. Levandowski has already moved to intervene in this matter to contest Waymo's subpoena to Stroz. Dkt. 583 at 1-3. For purposes of clarity, we ask the Court to extend the intervention to encompass the proceedings on Waymo's motion to compel, which raises the same issues as Mr. Levandowski's motion to quash.

For the reasons set forth in Mr. Levandowski's motion to quash, *see* Dkt. 583 at 3-8, Mr. Levandowski opposes Waymo's motion to compel Stroz to produce the subpoenaed records. Mr. Levandowski also joins the arguments set forth in Parts I and III of Otto Trucking's motion to quash Waymo's subpoena, Dkt. 580, as well as the arguments in Uber's motion to quash, Dkt. 581.

To the extent Waymo's motion to compel asserts that the Court's June 5, 2017 Order (Dkt. #566) already decided the issues pending in these motions, Mr. Levandowski disagrees. The Court's June 5, 2017 Order addressed only Waymo's motion to compel the Stroz Report and its exhibits. Waymo's present motion seeks far more. For the reasons set forth in Mr. Levandowski's motion to quash (Dkt. 583), Mr. Levandowski deserves the opportunity to be heard on those issues.

Respectfully submitted,

/s/ Ismail J. Ramsey

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Counsel for Non-Party Anthony Levandowski

cc: Counsel of record (via ECF); Special Master John Cooper